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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,126	12/20/2001	Eric Henry Baller	31862.000065	2357

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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
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2143

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DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,126

Applicant(s)

BALLER ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2 and 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This Action is in response to the Preliminary Amendment received on 19 February 2004.

Priority

This Application claims the benefit of CIP U.S. Patent Application Serial Number 09/253,117, filed February 19, 1999 and Provisional U.S. Patent Application Serial Number 60/131,851.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on 01 December 2003, have been considered by the examiner (see attached PTO-1449).

Specification and Claim Objections

3. It is noted that although the present application does contain line numbers in the specification and the claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For each of reference by both the Examiner and Applicant, all future correspondence should include the recommended line numbering format.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 1 recites the limitation "the unique identifier". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekizawa, U.S. Patent No. 6,430,711 in view of Haines et al. (Haines), U.S. PG Publication 2003/0072027.

9. Regarding **independent claims 1, 10, 17, 20-22**, (e.g., exemplary independent claim 1). Sekizawa the invention substantially as claimed. Sekizawa discloses *an apparatus for connecting a remote machine to a central system by way of a public network comprising: a message generator for creating an message document suitable for transmission over the network* (Sekizawa teaches an agent unit supports the transmitting and receiving of electronic mail through the Internet), [see Sekizawa, Col. 19, lines 15-35], *the message comprising information identifying the machine* [see Sekizawa, Col. 20, lines 46-57, Col. 26, lines 61-67]; *a receiver for receiving and storing a response from a central system* [see Sekizawa, Col. 26, lines 61-67], *the message generator subsequently creating messages using the unique identifier* [see Sekizawa, Col. 21, lines 40-67]. However, Sekizawa does not explicitly disclose an application layer message document including a unique machine name and password combination in a hypertext format

10. In the same field of endeavor, Haines discloses (e.g., unique identifier form customer account and method). Haines discloses an application layer message document including a unique machine name and password combination in a hypertext format [see Haines, page 2, section 0028].

11. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Haines' teachings of unique identifier form customer account and method in determining status changes with the teachings of Sekizawa, for the purpose of responding to a status change in a peripheral device [see Haines, page 1, section 0008]. By this rationale **claim 1** is rejected.

12. Regarding **claim 2**, Sekizawa-Haines discloses *in which the network is a TCP/IP network* [see Haines, page 3, section 0033]. The motivation that was used to combine claim 1 applies equally as well to claim 2. By this rationale **claim 2** is rejected.

13. Regarding **claim 3**, Sekizawa-Haines discloses *in which the network is a wireless network* (The Examiner takes Official Notice (see MPEP 2144.03)). By this rationale **claim 3** is rejected.

14. Regarding **claim 4**, Sekizawa-Haines discloses *in which the connection is established through a gateway device that provides protocol or address translation* (The Examiner takes Official Notice (see MPEP 2144.03)). By this rationale **claim 4** is rejected.

15. Regarding **claim 5**, Sekizawa-Haines discloses *comprising memory in the central system for storing the unique machine name and password and information identifying the type of machine* [see rejection of claim 1, supra]. By this rationale **claim 5** is rejected.

16. Regarding **claim 6**, Sekizawa-Haines discloses *in which the message is a registration message* [see rejection of claim 1, supra]. By this rationale **claim 6** is rejected.
17. Regarding **claim 7**, Sekizawa-Haines discloses *wherein the registration message includes: identifying information; information on the type of asset; network address and accessibility* [see Sekizawa, Col. 26, lines 60-67]. By this rationale **claim 7** is rejected.
18. Regarding **claim 8**, Sekizawa-Haines discloses *comprising memory for storing a token indicating that the machine is registered, and inhibiting subsequent sending of registration messages* [see rejection of claims 1 and 7, supra]. By this rationale **claim 8** is rejected.
19. Regarding **claim 9**, Sekizawa-Haines discloses *in which registration message includes a non-unique identifier and the response from the server includes a unique identifier to be used by the asset in subsequent message* [see Haines, page 1, section 0008]. The same motivation to combine that was use in claim 1 applies equally as well to claim 9. By this rationale **claim 9** is rejected.
20. Regarding **claim 10**, the limitations of this claim is substantially the same as that of claim 1 and thus is rejected for the same rationale in rejecting claim 1 above. Furthermore with regards *to a storing a schedule and periodically activating the message generator according to the stored schedule* (Sekizawa teaches transmitting status information through the email every first time period and causing the local information transmission sections to transmit status mail every second time period longer than the first time period), [see Sekizawa, Col. 21, lines 62-67 and Col. 25, lines 47-54]. By this rationale **claim 10** is rejected.

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21. Regarding **claims 11-16**, Sekizawa-Haines discloses *comprising a receiver for receiving an acknowledgement of the registration message and storing a token indicating that the machine is registered* [well known feature]. By this rationale **claim 11** is rejected.

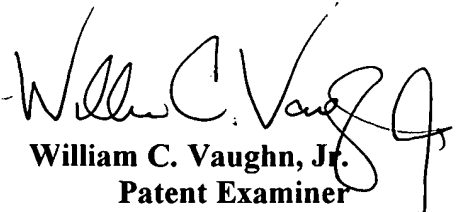
22. Regarding **claims 17-31** discloses features that are substantially the same as that of claims 1-16 and thus are rejected for the same rationale in rejecting claims 1-16 above.

Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (703) 306-9129. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William C. Vaughn, Jr.
Patent Examiner
Art Unit 2143
26 February 2004